

REMARKS/ARGUMENTS

In response to the Examiner's final Office Action of September 22, 2009 the Applicant respectfully submits the following Remarks.

Regarding 35 USC 103(a) Rejections

The Examiner is respectfully requested to withdraw the obviousness rejections of pending claims 1-3 over Haan in view of Silverbrook et al. (US 6,755,513), because Silverbrook is not available as prior art against the present application under 35 USC 103(c).

That is, Silverbrook et al. is only applicable under 35 USC 102(e) against the present application because the publication date of Silverbrook et al. of June 29, 2004 is after the effective US filing date of the present application of January 21, 2004. Thus, Silverbrook et al. is not available as obviousness-type prior art against the present application under 35 USC 103(c).

It is respectfully submitted that the Examiner's rejections have been traversed. Accordingly, it is submitted that the present application is in condition for allowance and reconsideration of the present application is respectfully requested.

Very respectfully,



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